

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
FIFTY-NINTH LEGISLATURE

EIGHTY-SECOND LEGISLATIVE DAY
FRIDAY, MARCH 28, 2008

Senate Chamber

President Risch called the Senate to order at 9:30 a.m.

Roll call showed all members present except Senator Corder, absent and formally excused by the Chair; and Senators Bastian, Bilyeu, Burkett, Darrington, Heinrich, Hill, Langhorst, Lodge, McGee, McKague, McKenzie, and Stegner, absent and excused.

Prayer was offered by Chaplain Goebel.

The Pledge of Allegiance was led by Madisen Holbrook, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 27, 2008, was read and approved as corrected.

DARRINGTON, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 28, 2008

The JUDICIARY AND RULES Committee reports that **SJM 114** has been correctly enrolled.

DARRINGTON, Chairman

The President signed Enrolled **SJM 114** and ordered it transmitted to the House for the signature of the Speaker.

March 28, 2008

The JUDICIARY AND RULES Committee reports that **S 1425**, as amended in the House, and **S 1413**, as amended, as amended in the House, have been correctly engrossed.

DARRINGTON, Chairman

S 1425, as amended in the House, and **S 1413**, as amended, as amended in the House, were filed for first reading.

President Risch called President Pro Tempore Geddes to the Chair.

March 28, 2008

The EDUCATION Committee reports out **H 684** and **H 685** with the recommendation that they do pass, and with the recommendation that they be placed on the Consent Calendar.

GOEDDE, Chairman

H 684 and **H 685** were filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Tenth Order of Business.

Motions and Resolutions

Senators Bastian, Bilyeu, Burkett, Darrington, Heinrich, Hill, Langhorst, Lodge, McGee, McKague, McKenzie, and Stegner, were recorded present at this order of business.

The President Pro Tempore announced that **HCR 59** was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator McGee, seconded by Senator Werk, **HCR 59** was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President Pro Tempore announced the State Affairs Committee report relative to the Gubernatorial appointment of J. Philip Reberger was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Little, seconded by Senator Davis, the Gubernatorial appointment of J. Philip Reberger as a member of the State Building Authority was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President Pro Tempore announced the State Affairs Committee report relative to the Gubernatorial appointment of James C. Hammond was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Jorgenson, seconded by Senator Hammond, the Gubernatorial appointment of James C. Hammond as a member of the State Building Authority was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills,
House Petitions, Resolutions, and Memorials**

S 1425, as amended in the House, and **S 1413**, as amended, as amended in the House, by Judiciary and Rules Committee, were read the first time at length and filed for second reading.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 447, as amended, as amended in the Senate, by State Affairs Committee, was read the second time at length and filed for third reading.

H 380, as amended, as amended, as amended in the Senate, by Business Committee, was read the second time at length and filed for third reading.

H 606, as amended in the Senate, by State Affairs Committee, was read the second time at length and filed for third reading.

H 607, as amended in the Senate, by Education Committee, was read the second time at length and filed for third reading.

S 1408, as amended, by Education Committee, was read the second time at length and filed for third reading.

H 643, by State Affairs Committee, was read the second time at length and filed for third reading.

H 681, **H 682**, **H 683**, and **H 687**, by Appropriations Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Davis, granted by unanimous consent, **SJR 105**, having been held, retained its place on the Third Reading Calendar for one legislative day.

On request by Senator Davis, granted by unanimous consent, **S 1506**, having been held, retained its place on the Third Reading Calendar for one legislative day.

On request by Senator Davis, granted by unanimous consent, **HJR 4**, having been held, retained its place on the Third Reading Calendar for one legislative day.

H 602, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration.

Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bastian, Bilyeu, Broadsword, Burkett, Coiner, Corder, Gannon (Gannon), Geddes, Goedde, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKenzie, Sagness (Malepeai), Stennett, Werk. Total - 21.

NAYS--Bair, Cameron, Darrington, Davis, Fulcher, Hammond, Heinrich, Hill, McKague, Pearce, Richardson, Schroeder, Siddoway, Stegner. Total - 14.

Paired and voting included in roll call:

AYE - Corder NAY - Fulcher

Total - 35.

Whereupon the President Pro Tempore declared **H 602**, as amended, passed, title was approved, and the bill returned to the House.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Ninth Order of Business.

Messages from the House

March 28, 2008

Mr. President:

I transmit herewith **H 688** and **H 655**, as amended, which have passed the House.

ALEXANDER, Chief Clerk

H 688 and **H 655**, as amended, were filed for first reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading and Reference of Bills,
House Petitions, Resolutions, and Memorials**

H 688 by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

H 655, as amended, by State Affairs Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate adjourned at 11:10 a.m. until the hour of 10 a.m., Monday, March 31, 2008.

JAMES E. RISCH, President

Attest: RUSTI HORTON, Assistant Secretary